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61-40421

OGC 61-0971

14 June 1961

MEMORANDUM FOR: Director of Central Intelligence

SUBJECT: Senate Joint Resolution 77

1. This memorandum suggests action on the part of the Director of Central Intelligence. Such requested action is contained in paragraph 4.

2. Following your approval of the draft response to Senator Fulbright commenting on Senate Joint Resolution 77, I met with McGeorge Bundy and Myer Feldman. I reported on this meeting of 9 June as follows:

Met with McGeorge Bundy and Myer Feldman to discuss the proposed report of the Agency to Senator Fulbright on S. J. Res. 77. Mr. Bundy stated this was a matter which the President was handling and he planned to talk to the Speaker in the near future. Bundy did not have time to review the draft reply in detail but stated the report should be essentially negative. Myer Feldman did go over the draft and indicated that he believed it was not sufficiently negative and did not bring out a number of points which would argue against a Joint Committee. The letter will be redrafted for DCI consideration.

(EXECUTIVE SECRETARY FILE *Leg. Cor.*)

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There is attached a redraft of the response to Senator Fulbright for your approval. (Attachment No. 1) This redraft attempts to meet the views of Bundy and Feldman while still being consistent with the position taken by the Director of Central Intelligence as the result of a question from Senator Fulbright at a hearing on 2 May. Extract of that exchange is attached. (Attachment No. 2)

3. As a matter of information, USIA is proposing a report to Senator Fulbright strongly opposing including information and intelligence activities in one Joint Committee.

4. If you approve this redraft, I will again get together with Feldman to see if the White House will accept this type of report. From my discussion with Jim Hyde in the Bureau of the Budget, I am sure that the Bureau of the Budget will have no further suggestions.

s/ John S. Warner

JOHN S. WARNER
Legislative Counsel

Atts. 2

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REDRAFT
OGC/LC:JSW:mks
13 June 1961

Honorable J. W. Fulbright
Chairman
Committee on Foreign Relations
United States Senate
Washington 25, D. C.

Dear Senator Fulbright:

This is in response to your letter of May 11, 1961 asking for the comments of the Central Intelligence Agency on Senate Joint Resolution 77, "To establish a Joint Committee on Foreign Information and Intelligence. "

The proposed Joint Resolution contemplates a Joint Committee for both Foreign Information and Foreign Intelligence activities. The informational aspects of this resolution are not within my field of competence and responsibility. However, I do not believe that the two functions should be considered in one committee. At the present time they are handled by different committees of the Congress. Furthermore, foreign informational activities are overt. The intelligence activities to which the proposed Joint Committee would probably direct its chief attention are largely of a secret character and are not directly related to the foreign informational activities of the Government.

For some years there have been established Subcommittees of the Appropriations and Armed Services Committees of both Houses which have specific jurisdiction over CIA matters. We report to these Subcommittees in accordance with their requests and provide them with whatever material they wish. We also receive requests for appearances from other committees of the Congress. We respond to these requests for intelligence briefings from your Committee, from the Joint Committee on Atomic Energy, from House Foreign Affairs, and a number of other committees. During the course of the 86th Congress, Agency representatives made 46 appearances before various congressional committees. The creation of the proposed Joint Committee would not, I am afraid, lessen the desire of those committees for Agency appearances.

As the Director of Central Intelligence, I have the duty, subject to the National Security Council, to carry out the Agency's statutory responsibility to coordinate the foreign intelligence activities of the several intelligence organizations of the Government. These intelligence organizations are integral parts of departments or agencies responsible to different committees of the Congress. The Armed Services Committees of the Senate and House have legislative jurisdiction with respect to the Central Intelligence Agency. The creation of the proposed Joint Committee to make continuing studies of each intelligence agency of the

United States thus creates obvious jurisdictional problems since there is no evidence that any of the present committees having responsibility have indicated either the desire or willingness to cede jurisdiction over the Central Intelligence Agency or the intelligence components of the departments concerned.

From the standpoint of legislation affecting the Agency, I see no necessity for the establishment of a Joint Committee. The Agency was established by the National Security Act of 1947 and there was a subsequent enabling Act in 1949. Since the passage of these two laws concerning the Agency, only two items of legislation have been initiated by the Agency for handling by the Armed Services Committees having legislative jurisdiction. At this time there are no foreseeable requirements for legislation and it is doubted whether there will be any more legislation needed in the future than in the past.

While the method through which the Congress informs itself on the activities of the Central Intelligence Agency and the other foreign intelligence activities of the Government is a matter for the Congress to determine, I believe the matters discussed above are pertinent in considering the establishment of a Joint Committee for Intelligence Activities. As I stated on the occasion of a recent appearance before your Committee, I am satisfied with the existing arrangement. From my viewpoint, I do not believe the establishment of a Joint Committee to be necessary.

I should like to point out a purely technical matter occurring at line 6 on page 5 of the Senate Joint Resolution 77. I believe this line is simply an inadvertent printing error and assume the line in toto should be deleted.

The Bureau of the Budget has no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,

Allen W. Dulles
Director

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Excerpt from Transcript
Committee on Foreign Relations
United States Senate
Tuesday - 2 May 61

The Chairman. Senator Mansfield, Mr. Dulles, before he left, asked me to ask you your opinion of the McCarthy bill. Are you familiar with that?

Mr. Dulles. I am not familiar.

The Chairman. It is the same as the old Mansfield bill about a Joint Committee for intelligence. Do you have any views on that?

Mr. Dulles. I have always taken the position, Mr. Chairman, that the Congress should, so far as I was concerned, determine how I should report to it and through what channels.

I now have, as you know, a special committee of the House Armed Services Committee, and there is also one in the Senate, to which committees I report on call.

I also have a special committee of the respective Appropriations Committees to which I report frequently.

I am perfectly satisfied, as far as I am concerned, with the present arrangement.

If the Congress feels it is wise to change that arrangement, I certainly would entirely acquiesce to that, and I would not want to oppose any measure of that kind the Congress might wish to enact.

The Chairman. You are not opposing or endorsing it?

Mr. Dulles. No, sir.

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FORM NO. 237
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Replaces Form 30-4
which may be used.

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